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REMARKS

Claims 1-18 were again rejected under 35 USC § 102(b) as being anticipated by Beckwith, et al. The Applicant vigorously traverses this rejection. The applicant asserts that the Examiner misunderstands the meaning of the term "state" as specifically defined in the specification and imputing a meaning of the term that is well beyond the definition as provided in the specification. See MPEP 608.01(o). Independent claims 1 and 15 specifically claim the feature of a first state and a next state. Beckwith does not state, imply or infer the term as defined by the applicant. Independent claim 12 claims the feature of base row and column elevation values and updated row and elevation vales (the definition of "state"). Again, Beckwith fails to teach, imply or infer this novel feature. The applicant provides the following significant differences in the arguments below and the affidavit of the inventor, an expert in the art, showing that the assumptions and conclusions by the Examiner are in error.

Regarding the rejection of claim 1, step b) *setting row and column data to an initial contour value, the row and column comprising a first state.* The contour table referred to by Examiner in Beckwith column 17 rows 54-55 contains *preprocessed* information. To quote, Beckwith column 17 rows 24-34 "A contour table is introduced ... containing pertinent shades of gray and contour line data as *preprocessed* information..." (emphasis added). Preprocessed data does not represent a state, to be updated during processing of source elevation data. Rather, as described in Beckwith column 17 rows 29-33 it is a table which is indexed into based on the incoming source elevation data. It is not an updated processing state (next row and column data), as is specifically described and claimed in the present invention.

Additionally, Beckwith column 17 rows 45-50 clearly state that the contour table values are only updated when new visual requirements are selected. That is, when a different contour interval or shading value is selected by the external user. This differs greatly from a processing state as described in the present invention. In the present invention, the row and column data represent the processing state which is updated during the course of processing a set of elevation

data. This state is given an initial value which represents a first state, where the state will change during the course of processing a set of elevation data. The table described in Beckwith, as demonstrated above, is given a value which does not change during the course of processing, and is therefore not a state, nor an updated state, with regard to the processing of the elevation data set.

Regarding the rejection of claim 1, step c) *comparing a second data point with the first state for determining an existence of a contour line depending on a result from the step of comparing.* Beckwith at column 17 rows 3-5 compares two adjacent *data points,* "Are any two adjacent data points located in different contour intervals?" In this instance, Beckwith is teaching the comparison of neighboring data points. This differs from the present invention, which compares a data point with the current processing state, where the processing state is identified as the row and column data. The state contained in the row and column of the present invention should not be confused with the input elevation data itself, which happens to be arranged in a row/column format. As stated in claim 1 c), the present invention compares a data point, from the input elevation data, with the processing state to determine the presence of a contour line. Furthermore, the process of Beckwith "Are any two adjacent points ..." necessarily requires the comparison of a data point with its 4 neighbors. Each interior data point has 4 neighbors (above, below, left, right); therefore comparison of adjacencies requires 4 comparisons. Beckwith states this in column 16 rows 49-50. This contrasts with the present invention which compares a data point only with the current state, not with adjacent data points, as stated in claim 1 c). Therefore, the present invention's method of comparing a data point against a first state differs from Beckwith's comparison of a data point with adjacent data points.

Regarding the rejection of claim 1, step d) *updating the first state to a next state, wherein the next state comprises a next row and column data if the contour line exists.* The rejection refers to Beckwith column 17 rows 15-21. The referenced section of Beckwith describes generating a signal for the purposes of displaying a portion of the contour line on the output device. The method used in Beckwith to display a point once a contour has been found is moot

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with regard to the process of determining if a contour exists. The referenced section does not state or suggest that any processing state has been changed. In contrast, the present invention maintains and updates the processing state as a method of determining if a contour line exists. The state maintained in the present invention is named the row and column data in claim 1, and contains the current elevation level achieved. From claim 1 d), this processing state is updated every time a contour line is found. Beckwith in column 17 rows 38-40 also offered as evidence of Beckwith teaching the storing of a next state. This section of Beckwith clearly states the contour table *"outputs"*, not the contour table itself, are updated and stored. That is, after determining that a contour exists, Beckwith stores the result (is there a contour). This differs from the present invention, which stores the processing state, which is used to determine if there is a contour line.

The rejections to independent claims 12 and 15 are also in error. Again, Beckwith fails to teach or imply a state or base row and column elevation values and updated row and elevation vales as specifically required in these claims. Thus, it is submitted that the claims are allowable in that they clearly identify features that are not mentioned or implied in the cited prior art, thus meeting the novelty requirement. Further due to the allowability of the independent claims, the dependent claims are also allowable.

No extension of time or other fees are believed to be due, except as detailed in the attached documents. However, any extension of time necessary to prevent abandonment is hereby requested, and any fee necessary for consideration of this response is hereby authorized to be charged to Deposit Account Number 01-1125.

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   In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue; the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.
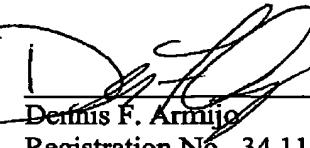
Honeywell International Inc.
Law Dept. AB2, P.O. Box 2245
Morristown, NJ 07962-9806
Tel: (505) 899-0269

Date: 7-12-05

Respectfully submitted,

CRAIG L. SCHIMMEL

By: Dennis F. Armijo
Registration No. 34,116